

Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON, AT TACOMA

PUGET SOUND ELECTRICAL WORKERS
HEALTH AND WELFARE TRUST
(INCLUDES VACATION ALLOWANCE),
PUGET SOUND ELECTRICAL WORKERS
PENSION TRUST, PUGET SOUND
ELECTRICAL JOINT APPRENTICESHIP
AND TRAINING TRUST, NATIONAL
ELECTRICAL BENEFIT FUND, and LABOR
MANAGEMENT COOPERATION TRUST,

Plaintiffs,

vs.

BARKHURST CONTROL TECHNOLOGIES,
INC., a Washington corporation,

Defendant.

CAUSE NO.: C05-5474RJB

STIPULATION, JUDGMENT AND
ORDER

Clerk's Action Required

Plaintiffs Puget Sound Electrical Workers Health and Welfare Trust (Includes Vacation Allowance), Puget Sound Electrical Workers Pension Trust, Puget Sound Electrical Joint Apprenticeship and Training Trust, National Electrical Benefit Fund, and Labor Management Cooperation Trust (Trust Funds), by and through their attorney of record, Robert A. Bohrer and Defendant Barkhurst Control Technologies, by and through its attorney of record, Bryce H. Dille, hereby stipulate to Judgment and stipulates that the Court may enter Judgment as follows:

SUMMARY OF JUDGMENT

1. Judgment Creditors: Puget Sound Electrical Workers Health and Welfare Trust (Includes Vacation Allowance), Puget Sound Electrical Workers Pension Trust, Puget Sound Electrical Joint Apprenticeship and Training Trust, National Electrical Benefit Fund, and Labor Management Cooperation Trust

2. Judgment Debtor: Barkhurst Control Technologies, Inc.

3. Contributions (4/04, 6/04): \$2,245.31

4. Liquidated Damages: \$449.06

5. Interest (through 8/31/05): \$314.35

6. Costs: \$289.75

7. Attorney's Fees: \$1,280.30

8. Post-Judgment Interest: 12% per annum

9. Attorney for Judgment Creditors: Robert A. Bohrer
Ekman, Bohrer & Thulin, P.S.
220 W. Mercer St., Ste. 400
Seattle, WA 98119

10. Defendant Employer hereby stipulates to judgment in favor of Plaintiff Trust Funds in the amount \$4,578.77, representing contributions covering the period April and June 2004 in the amount \$2,245.31, liquidated damages in the amount \$449.06, interest in the amount \$314.35, costs in the amount \$289.75, and attorney fees in the amount \$1,280.30 for a total amount owing of \$4,578.77 and do hereby authorize the Court to enter Judgment against Defendant Employer and in favor of Plaintiff Trust Funds, without further notice or opportunity to be heard. This Stipulation and Judgment is for money justly due and owing to Plaintiff Trust Funds arising out of that certain labor agreement between Defendant Employer and the Union which contract requires the payment of fringe benefit contributions and ancillary charges to Plaintiff Trust Funds. The Judgment amount is based on unfunded report forms.

DATED this _____ day of _____, 2005.

s/

Authorized Representative of Barkhurst Control Technologies, Inc.

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s/Bryce H. Dille
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Attorney for Defendant

8 **ORDER**

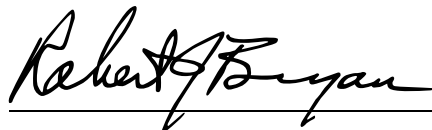
9 Pursuant to the Stipulation of the parties, and otherwise being generally advised, it is
10 hereby

11 **ORDERED** that Plaintiff Trust Funds be awarded Judgment against Defendant
12 Employer representing delinquent fringe benefit contributions covering the period April and
13 June 2004 in the amount \$2,245.31, liquidated damages in the amount \$449.06, interest in the
14 amount \$314.35 costs in the amount \$289.75 and attorney's fees in the amount \$1,280.30, for a
15 total amount owing of \$4,578.77.

16 **IT IS FURTHER ORDERED** that such Judgment be deemed a final Judgment
17 pursuant to CR 54(b) and there is no just reason for delay in entry of such Judgment on Plaintiff
18 Trust Funds' claim herein.

19 **IT IS FURTHER ORDERED** that this Judgment shall accrue interest on the total
20 unpaid balance at the rate of 12% per annum.

21 DATED this 19th day of October, 2005.

22 

23 ROBERT J. BRYAN
24 United States District Court Judge
25

1 Presented by:

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6 Attorney for Plaintiffs

7 Approved as to form;

8 Notice of Presentation waived:

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STIP, JUDGMENT & ORDER

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